

JULIE A. GOLDBERG, et al.,)	Case No. 2:18-cv-01053-JCM-NJK
Plaintiff(s),)	ORDER
v.)	(Docket No. 4)
WELLS FARGO HOME MORTGAGE, INC, et al,)	
Defendant(s).)	

¹ Several of the filings in this case were purportedly made on an ex parte basis, including the complaint, but have been served on opposing counsel. *Compare* Docket No. 1 at 1 (“Ex Parte Complaint”) *with id.* at 28 (certificate of service on opposing counsel). As such, it does not appear that these filings are actually being made on an ex parte basis. *See, e.g.,* Local Rule IA 7-2(a) (“An ex parte motion or application is a motion or application that is filed with the court but is not served on the opposing or other parties”).

1 The Clerk's Office is **INSTRUCTED** to continue to maintain the subject filings under seal on
2 an interim basis, however, as the Court will afford a further opportunity to demonstrate cause for sealing.
3 To the extent Plaintiffs continue to seek sealing of any of the filings in this case (or seek to redact parts
4 of any of the filings in this case), they must file a motion identifying by page and line each instance of
5 information for which their request is based. The motion must be supported by legal authority that
6 identifies the pertinent standards and explains how they are met with respect to each specific instance
7 of confidential information.² The renewed motion to seal shall be filed no later than noon on June 14,
8 2018. **Failure to file a motion in accordance with the above directives will result in the Court**
9 **unsealing the filed materials.**

10 IT IS SO ORDERED.

11 DATED: June 11, 2018

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14 NANCY J. KOPPE
15 United States Magistrate Judge
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18 ² The Ninth Circuit has held that there is a strong presumption of public access to judicial records.
19 *See Kamakana v. City & County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006); *Foltz v. State Farm Mut.*
20 *Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003). A party seeking to file documents under seal bears the
21 burden of overcoming that presumption. *Pintos v. Pac. Creditors Ass'n*, 605 F.3d 665, 678 (9th Cir. 2010)
22 (quoting *Kamakana*, 447 F.3d at 1178). The standard applicable to a motion to seal turns on whether the
23 sealed materials are submitted in conjunction with a dispositive or a non-dispositive motion. Whether a
24 motion is "dispositive" turns on "whether the motion at issue is more than tangentially related to the
25 underlying cause of action." *See Center for Auto Safety v. Chrysler Group, LLC*, 809 F.3d 1092, 1101 (9th
26 Cir. 2016), *cert. denied*, 137 S.Ct. 38 (2016) (addressing applicability of "good cause" and "compelling
27 reasons" standards). Lastly, any request to seal documents must be "narrowly tailored" to remove from the
28 public sphere only the material that warrants secrecy. *E.g., Ervine v. Warden*, 214 F. Supp. 3d 917, 919
(E.D. Cal. 2016) (citing *Press-Enterprise Co. v. Superior Court of Cal.*, 464 U.S. 501 (1986)). As a
corollary, to the extent any confidential information can be easily redacted while leaving meaningful
information available to the public, the Court must order that redacted versions be filed rather than sealing
entire documents. *Foltz*, 331 F.3d at 1137; *see also In re Roman Catholic Archbishop of Portland in*
Oregon, 661 F.3d 417, 425 (9th Cir. 2011) (the district court must "keep in mind the possibility of redacting
the sensitive material").